UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,984	11/02/2001	Alexander Gordon Fitzpatrick	1028-006US01	3489

28863 7590 03/04/2004	**EXAMINER**
SHUMAKER & SIEFFERT, P. A.	LEWIS, CHERYL RENEA
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ART UNIT	PAPER NUMBER
2177	3

SUITE 105
ST. PAUL, MN 55125

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 November 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-16 are presented for examination.

DRAWINGS

2.   The applicant's formal drawings submitted on November 2, 2001 have been

approved by the draftsperson.

Information Disclosure Statement

3.   The information disclosure statement filed May 20, 2002, paper no. 2, fails to

comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the cited

references (1) "BrianMatter (now called Spreadsheet Blox) by "AlphaBlox" and (2)

"Gedafe (Generic Database Front-End) from Department fur Elektrotechnik, ETZ Zurich"

do not have a publication date. It has been placed in the application file, but the

information referred to therein has not been considered as to the merits. Applicant is

advised that the date of any re-submission of any item of information contained in this

information disclosure statement or the submission of any missing element(s) will be the

date of submission for purposes of determining compliance with the requirements based

on the time of filing the statement, including all certification requirements for statements

under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Specification

4.   The use of the trademarks has been noted in this application. It should be

capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the

proprietary nature of the marks should be respected and every effort made to prevent

their use in any manner which might adversely affect their validity as trademarks. MPEP

6.20

The following trademarks are:

1. Netscape™, page 3, line 3

2. Microsoft Internet Explorer™, page 3, line 4

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating
         obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.   Claims 1-3, 6, 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freivald et al. (Pat. No. 5,983,268, filed March 25, 1997, hereinafter Frievald) and Sitarski (Pat. No. 5,237,497, filed March 22, 1991).

7.   Regarding Claim 1, Freivald teaches a spreadsheet user-interface for an internet-document change detection tool.

The method and associated system for a spreadsheet user-interface for an internet-document change detection tool as taught or suggested by Freivald includes:

a server facility comprising an application program (col. 4, lines 14-20); a calculation engine (figure 2, element 34, col. 7, lines 20-24 and 33-40); a client computer comprising an application (col. 4, lines 19-23 and 29-36) having the ability to show data derived from a database (col. 4, lines 58-60, col. 5, lines 5-15, col. 8, lines 6-15), and to request changes to the data to be made at the database (col. 4, lines 58-60, col. 5, lines 5-15, col. 8, lines 6-15, col. 12, lines 34-44 and 56-67).

Freivald does not expressly teach a multidimensional data store in the form of a planning data repository.

Sitarski teaches a multidimensional data store (Abstract, lines 4-11 and 14-16, col. 4, lines 30-46) in the form of a planning data repository (col. 1, lines 5-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the spreadsheet user-interface method of Freivald with Sitarski's method for planning and dynamically managing flow processes because Sitarski's method enables dynamic management of a flow processes comprising a plurality of interrelated and interdependent processes, resources and commodity flows using a computer system, further a database containing information about the flow process and graphically displaying both the problem and the solution spatially and/or temporally, indicia can be made to appear on the display to provide visual identification of symbols as well as information about the solution, capacity, minimum levels, flow and variances (Abstract, lines 1-11).

8.   Regarding Claim 2, Freivald teaches the calculation engine ensures consistency and validity of changes in the data requested by the client application (col. 4, lines 19-23, 29-36, and 58-60, col. 5, lines 5-15, col. 8, lines 6-15 and 34-50).

9.   Regarding Claim 3, Freivald teaches the client application includes the ability to window over more data than is physically displayed (col. 3, lines 52-60, col. 6, lines 48-67, col. 7, lines 7-20).

10.   Regarding Claim 6, Freivald teaches changes to data are transferred from the server to the client (col. 4, lines 14-36).

11.   Regarding Claim 7, Freivald teaches the client of the possible formulae (Abstract, lines 7-22, col. 7, lines 30-60, col. 8, lines 35-50) to be used in the calculations (Abstract, lines 16-22, col. 7, lines 30-60, col. 8, lines 35-50), the client signals to the server (col. 4, lines 14-36) which of the formulae are to be used (col. 9, lines 44-65).

12.   Regarding Claim 9, Freivald teaches a spreadsheet program (col. 7, lines 20 and 21, col. 8, line 67).

13.   Regarding Claim 10, Freivald teaches the network is the Internet (figure 1, element 10 'INTERNET') or World Wide Web, and the Client software application (col. 4, lines 19-23 and 29-36) is standard Internet or Web Browser (figure 1, element 14 '(WWW BROWSER)') supporting JavaScript (col. 12, lines 8-12).

14.   Claim 4, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freivald et al. (Pat. No. 5,983,268, filed March 25, 1997, hereinafter Frievald) and Sitarski (Pat. No. 5,237,497, filed March 22, 1991) as applied to claim 1 above, and further in view of Beauchamp et al. (Pat. No. 6,621,505 B1, filed September 30, 1998, hereinafter Beauchamp).

15.   Regarding Claim 4, Freivald and Sitarski do not expressly teach to reverse previous changes completely – an Undo function.

Beauchamp teaches the means which essentially comprises the same means as reverse previous changes completely – an Undo function (col. 11, lines 5-25, col. 13, lines 7-9 and 62-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the user interfacing methods of Freivald and Sitarski

with Beauchamp's method of dynamic process-based enterprise computing because

Beauchamp's method provides computer processes for carrying out a series of steps

using a plurality of standardized user-interface screens, these standardized interface

screens may be linked together in predetermined orders to implement on a client

computer activities for which the standardized screens are appropriate to accomplish a

pre-defined process, the computer process automatically takes a user from screen to

screen, prompting the user to review or provide information or take appropriate action,

metadata is used to provide data to a screen rendering process running on a user's

workstation with details for enabling navigational capabilities (Abstract, lines 1-17).

16.   Regarding Claim 5, Beauchamp teaches data are displayed with dimensions

derived from metadata (Abstract, lines 12-20).

17.   Regarding Claim 8, the limitations of this claim has been noted in the rejection

above. In addition, Beauchamp teaches the client is permitted to edit (col. 11, lines 5-

25, col. 13, lines 7-9 and 62-67).

18.   Claims 11 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Freivald et al. (Pat. No. 5,983,268, filed March 25, 1997, hereinafter Frievald);

Sitarski (Pat. No. 5,237,497, filed March 22, 1991); and Bhansali et al. (Pat. No.

6,006,239, filed March 15, 1996, hereinafter Bhansali).

19.   Regarding Claims 11 and 13-15, Freivald teaches providing a spreadsheet-like

display containing data (Abstract, lines 1-10, figure 4, col. 3, lines 52-54); a browser

obtaining data (col. 4, lines 14-23); a user action (Abstract, lines 3-8), the browser

sending a request calculate to the server (col. 4, lines 14-20, figure 1, element 14

'(WWW BROWSER)') supporting JavaScript (col. 12, lines 8-12), Abstract, lines 16-22,

col. 7, lines 30-60, col. 8, lines 35-50); the server (col. 4, lines 14-20) obtaining from the

calculation engine (figure 2, element 34, col. 7, lines 20-24 and 33-40) the result of the

calculation (col. 7, lines 30-44); and the server (col. 4, lines 14-20) passing the results

received from the calculation engine (col. 7, lines 30-44) to the browser (col. 4, lines 14-

20); the browser displaying the results of the changes (Abstract, lines 1-25).

Freivald does not expressly teach a planning data repository.

Sitarski teaches a planning data repository (col. 1, lines 5-12).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the spreadsheet user-interface method of Freivald with

Sitarski's method for planning and dynamically managing flow processes because

Sitarski's method enables dynamic management of a flow processes comprising a

plurality of interrelated and interdependent processes, resources and commodity flows

using a computer system, further a database containing information about the flow

process and graphically displaying both the problem and the solution spatially and/or

temporally, indicia can be made to appear on the display to provide visual identification

of symbols as well as information about the solution, capacity, minimum levels, flow and

variances (Abstract, lines 1-11).

Sitarski does not expressly teach a request to save.

Bhansali teaches the means which essentially comprise the same means as a

request to save (Abstract, lines 6-8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the methods of Freivald and Sitarski with Bhansali's method of a save operation because Bhansali's method enables allowing multiple users to simultaneously edit a spreadsheet where multiple users access a spreadsheet stored in a disk file and make independent changes to the spreadsheet, changes are stored in respective memory change logs on each user's computer, when a user performs a save operation, the contents of the memory change log are appended to a disk change log in the disk file, as each user performs a save operation, each user's changes, as maintained in each respective memory change log, are appended to the disk change log.

20.   Regarding Claim 16, Freivald teaches computers interconnected by a network (col. 1, lines 22-25, col. 2, lines 38-44).

21.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freivald et al. (Pat. No. 5,983,268, filed March 25, 1997, hereinafter Frievald); Sitarski (Pat. No. 5,237,497, filed March 22, 1991); and Bhansali et al. (Pat. No. 6,006,239, filed March 15, 1996, hereinafter Bhansali) as applied to claim 11 above, and further in view of Beauchamp et al. (Pat. No. 6,621,505 B1, filed September 30, 1998, hereinafter Beauchamp).

22.   Regarding Claim 12, the limitations of this claim has been noted in the rejection above. In addition, Freivald, Sitarski, and Bhansali do not expressly teach reformatting the data and metadata.

Beauchamp teaches reformatting the data and metadata (Abstract, lines 6-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the user interfacing methods of Freivald, Sitarski, and Bhansali with Beauchamp's method of dynamic process-based enterprise computing because Beauchamp's method provides computer processes for carrying out a series of steps using a plurality of standardized user-interface screens, these standardized interface screens may be linked together in predetermined orders to implement on a client computer activities for which the standardized screens are appropriate to accomplish a pre-defined process, the computer process automatically takes a user from screen to screen, prompting the user to review or provide information or take appropriate action, metadata is used to provide data to a screen rendering process running on a user's workstation with details for enabling navigational capabilities (Abstract, lines 1-17).

CONCLUSION

23.   The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A.   Garman (U.S. Pat. No. 5,926,822) discloses a transformation of real time data into times series and filtered real time data within a spreadsheet application; and

B.   Cho et al. (U.S. Pat. No. 6,539,403 B2) discloses a method and system for facilitating networked information exchange.

NAME OF CONTACT

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (703) 305-8750. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

(703) 746-5651 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Cheryl Lewis
Patent Examiner
February 19, 2004

JOHN B BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100